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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/625,462	07/22/2003	Tomas Svoboda	3521	9887

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PEDERSEN & COMPANY, PLLC
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BOISE, ID 83701

EXAMINER

CLOUD, JOIYA M

ART UNIT	PAPER NUMBER
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2144

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/22/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/625,462

Applicant(s)

SVOBODA, TOMAS

Examiner

Joiya M. Cloud

Art Unit

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☒ Claim(s) 3 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 1/15/2004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to the application filed on July 22, 2003. Claims 1-8 are pending. Claims 1-8 represent System and method for reprocessing web contents in multiple steps.

Specification

2. Applicant is reminded of the proper language and format of the abstract of the disclosure.

The Abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in the patent claims, such as means and "said" should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details. The abstract of the disclosure is ultimately objected to because: It exceeds the maximum allowed number of words. Correction is required. See MPEP 608.01 (b)

Objections

Claim 3 is objected to for the following minor informalities:

Line 2 of claim 3 states: "an archive copy of a delivered message, has been modified and/or deleted by the sender." This claim is rejected for the contained grammatical error stated above.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

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The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. **Claims 4-5, and 8** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per claims 4 and 5, claims 4 and 5 recite a broad limitation followed by the linking term “preferably” in line 5. The term preferably is a narrow limitation within a broad limitation and is thus considered indefinite since the resulting claim does not clearly set forth the metes and bounds of the patent protection desired. Examiner advises the applicant to amend the independent claim in such a way that will explain the above-mentioned term to give Examiner clear prospective of the claimed invention.

As per claim 8, claim 8 recites the term “legitimate” in lines 3 respectively. The term legitimate” is a relative terms which renders the claim and its dependent claims indefinite. The term is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. It cannot be readily understood from the claim language what specific characteristics would make the message “legitimate” and thus the claims are ambiguous as to what Applicant seeks to claim as the invention.

Claim Rejections - 35 USC § 102

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5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. **Claims 1-8** are rejected under 35 U.S.C. 102(e) as being anticipated by Okimoto et al. (U.S. Patent No. 6,310,694 B1).

7. **As per claim 1**, Okimoto teaches a method of a message modification in a communication system including at least one transmitter communication unit, data communication means and at least one receiver communication unit, characterized in, that after receiving a message, the message being delivered into a receiver communication unit through data communication means and stored in a storage unit (**Abstract, col. 6, lines 39-58**), the receiving apparatus takes action to identify the sender (**where the receiver identifies the sender via the header information, col. 6, lines 15-27**) with the message and based on that identification grants the sender an access to functions of modification and/or deleting a message having been stored in the receiver communication unit (**col. 16, lines 17-32 and col. 17, lines 55-67, where mail log data is deleted**).

As per claim 2, Okimoto teaches a method of message modification characterized in, that a received message is analyzed, and provided its parameters differ from required ones, the

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sender is invited to modify the message (**col. 16, lines 17-32, col. 11, lines 53-67 and col. 12, lines 1-8**).

As per claim 3, Okimoto teaches the method of message modification characterized in, that there is created an archive copy of a delivered message, has been modified and/or deleted by the sender (**col. 6, lines 38-58, where there is a mail log data storage area in which copies of mail (messages) are stored**).

As per claim 4, Okimoto teaches equipment for performing the method of message modification, the equipment comprising at least one transmitter communication unit, data communication means and at least one receiver communication unit, characterized in, that the data communication means comprise computerized system, preferably an Internet computer network (**col. 6, lines 28-38, col. 5, lines 35-39 and Figure 1**).

As per claim 5, Okimoto teaches equipment for performing the method of message modification, the equipment comprising at least one transmitter communication unit, data communication means and at least one receiver communication unit, characterized in, that the transmitter and/or receiver communication unit comprise an electronic unit and/or a system of electronic units, preferably a computer (**col. 5, lines 40-52, and Figure 1, items 4, 12, and 10, CPU**).

As per claim 6, Okimoto teaches equipment for performing the method of message modification the equipment comprising at least one transmitter communication unit, data communication means and at least one receiver communication unit, characterized in, that the

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data communication means comprise telecommunication means **(where messages are sent electronically over distance, see Abstract and col. 1, lines 1-24).**

As per claim 7 Okimoto teaches equipment for performing the method of message modification, the equipment comprising at least one transmitter communication unit, data communication means and at least one receiver communication unit, characterized in, that the transmitter and/or receiver communication unit comprise telephone and/or fax devices **(Figure 1).**

As per claim 8, Okimoto teaches the method of message modification, wherein, besides said use for modifying and/or deleting the message by sender, the method further comprises a step of discerning between legitimate messages and unsolicited commercial messages **(col. 2, lines 35-49, where the unsolicited messages are mail not desired to be printed and the legitimate message are the canceled mail).**

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joiya Cloud whose telephone number is 571-270-1146. The examiner can normally be reached Monday to Friday from on 7:30am-5:00pm.

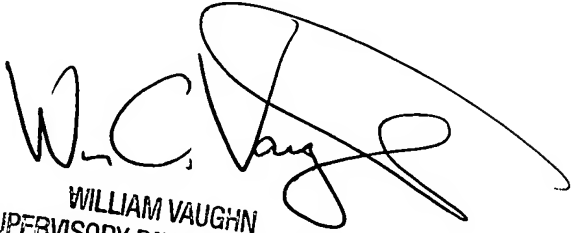
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Vaughn can be reached on 571-272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3922. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JMC

William J. Vaughn

Supervisory Patent Examiner

February 7, 2007


WILLIAM VAUGHN
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